

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

FILED

DERRICK WAY

DEC 01 2010

CRIMINAL ACTION NO. 94-488-1

v.

MICHAEL E. KUNZ, Clerk
By _____ Dep. Clerk

CIVIL ACTION No. 10-2620


UNITED STATES OF AMERICA

ORDER

AND NOW, this 30th day of November, 2010, upon consideration of Petitioner's motion to vacate, set aside or correct sentence under 28 U.S.C. § 2255 (Doc. No. 258), and Respondents' response thereto (Doc. No. 265), **IT IS HEREBY ORDERED** that Petitioner's motion is **DENIED WITH PREJUDICE AND WITHOUT A HEARING**.

IT IS FURTHER ORDERED that no certificate of appealability will be issued pursuant to 28 U.S.C. § 2253 because petitioner has failed to make a substantial showing of denial of a constitutional right.

The Clerk of Court is hereby directed to mark this case closed.



LOWELL A. REED, JR., S.I.